

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

---

In Re:

**Catherine Portwood**

Case No. 10-81768

Chapter 13

Social Security No. xxx-xx-7928

Address:10007 Shoemaker Drive, Bahama, NC 27503-

Debtor

---

**OBJECTION TO CLAIM**

**NOW COMES** the Debtor above-named, through counsel, pursuant to 11 U.S.C. §502 and Bankruptcy Rule 3007, who respectfully objects to the proof of claim filed by the creditor CHASE HOME FINANCE L.L.C. and dated October 20, 2010, for the following reasons:

The Debtor believes the “pre-petition” arrearage claim in the amount of \$9,435.68 is overstated.

Because the Debtor contest the amount of the pre-petition arrearage claimed by said creditor in its Proof of Claim filed in this case, pursuant to Rule 34 of the Federal Rules of Civil Procedure and Rule 9014 of the Federal Rules of Bankruptcy Procedure, the Debtor is, by separate document attached herewith, requesting production from said creditor of a payment history and related information.

**WHEREFORE**, the Debtor prays that the Court enter an Order reducing the pre-petition arrearage claim accordingly . Furthermore, in the event that said creditor contests this objection by filing a formal response thereto, the Debtor requests that, until such time as the aforementioned payment history is provided, the Court treat any hearing upon this Objection as preliminary, in accordance with the power vested in this Court pursuant to 11 U.S.C. 105(a).

Dated: December 1, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s Koury Hicks

Koury Hicks

N.C. State Bar No. 36204

6616-203 Six Forks Road

Raleigh, N.C. 27615

(919) 847-9750

claimomd.wpt (rev. 9/28/10)

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

---

In Re:

**Catherine Portwood**

Case No. 10-81768

Chapter 13

Social Security No. xxx-xx-7928

Address:10007 Shoemaker Drive, ,Bahama, NC 27503-

Debtor

---

**CERTIFICATE OF SERVICE**

I, Renee Nolte, certify under penalty of perjury that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age and that on December 1, 2010. I served copies of the foregoing **OBJECTION TO CLAIM** electronically or, when unable, by regular first-class U.S. mail, addressed to the following parties:

CHASE HOME FINANCE L.L.C.

**Attn: Managing Agent**

Mail Code Oh4-7302

3415Vision Drive

Columbus, OH 43219-

Kimberly Sheek

Attorney for CHASE HOME FINANCE L.L.C.

10130 Perimeter Parkway

Suite 400

Charlotte, NC 28216-

U.S. Bankruptcy Administrator

Richard M. Hutson, II

Chapter 13 Trustee

/s Renee Nolte

Renee Nolte